



BILLING CODE: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-824]

Polyethylene Terephthalate Film, Sheet, and Strip from India: Final Results of Antidumping Duty Administrative Review; 2013-2014

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce

SUMMARY: For the final results of the administrative review of the antidumping duty (AD) order on polyethylene terephthalate film, sheet, and strip (PET Film) from India, we find that Jindal Poly Films Limited (Jindal) and the four-non selected respondents made sales of subject merchandise at less than normal value; we also find that SRF Limited (SRF) did not make sales of subject merchandise at less than normal value. The period of review is July 1, 2013, through June 30, 2014.

DATES: Effective date: (INSERT THE DATE OF THE PUBLICATION OF THE FEDERAL REGISTER).

FOR FURTHER INFORMATION CONTACT: Myrna Lobo or Alexander Cipolla, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2371 and (202) 482-4956, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 6, 2015, the Department of Commerce (the Department) published the Preliminary Results.¹ For a history of events that have occurred since the Preliminary Results, see the Issues and Decision Memorandum.² The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>, and is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://trade.gov/login.aspx>. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

As explained in the memorandum from the Acting Assistant Secretary for Enforcement & Compliance, the Department has exercised its discretion to toll all administrative deadlines due to the recent closure of the Federal Government. All deadlines in this segment of the proceeding have been extended by four business days. The revised deadline for the final results of this review is now February 8, 2016.³

¹ See Polyethylene Terephthalate Film, Sheet, and Strip From India: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2013–2014, 80 FR 46957 (August 6, 2015) (Preliminary Results).

² See Department Memorandum, "Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review: Polyethylene Terephthalate Film From **Error! Reference source not found.**; 2013 – 2014 Administrative Review" (Issues and Decision Memorandum), dated concurrently with, and hereby adopted by, this notice.

³ See Memorandum to the Record from Ron Lorentzen, Acting A/S for Enforcement & Compliance, regarding "Tolling of Administrative Deadlines as a Result of the Government Closure During Snowstorm Jonas," dated January 27, 2016.

Scope of the Order

The products covered by the AD order are all gauges of raw, pretreated, or primed PET Film, whether extruded or coextruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET Film are currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item number 3920.62.00.90. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the AD order is dispositive.

Analysis of Comments Received

All issues raised in the case briefs are addressed in the Issues and Decision Memorandum. A list of issues raised and to which we respond in the Issues and Decision Memorandum is attached to this notice as an Appendix.

Changes Since the Preliminary Results

Based on a review of the record and comments received from interested parties regarding our Preliminary Results, we have made changes to SRF's and Jindal's calculations.⁴ In addition, we have adjusted Jindal's reported U.S. prices to account for changes in its export subsidies in the final results of the companion countervailing duty administrative review.⁵

⁴ See Memoranda to Thomas Gilgunn, Program Manager "Analysis Memorandum for the Final Results of the Antidumping Duty Administrative Review of Polyethylene Terephthalate Film, Sheet, and Strip from India: Jindal Poly Films Limited, and "Analysis Memorandum for the Final Results of the Antidumping Duty Administrative Review of Polyethylene Terephthalate Film, Sheet, and Strip from India: SRF Limited," both dated concurrently with these final results.

⁵ See Polyethylene Terephthalate Film, Sheet, and Strip From India: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review; 2013, 80 FR 46956 (August 3, 2015). See also Polyethylene Terephthalate Film, Sheet, and Strip from India: Final Results of Countervailing Duty Administrative Review; 2013 (signed February 2, 2016).

Additionally, for companies not selected for individual review, we have assigned the rate calculated for Jindal in the final results of this review, in accordance with section 735(c)(5) of the Act.

Final Results of Review

As a result of our review, we determine the following weighted-average dumping margins exist for the period July 1, 2013, through June 30, 2014.

Producer or Exporter	Weighted-Average Dumping Margin (percent)
Jindal Poly Films Limited ⁶	0.59
SRF Limited	0.00
Ester Industries Limited	0.59
Garware Polyester Ltd	0.59
Polyplex Corporation Limited	0.59
Vacmet	0.59

Assessment Rates

Pursuant to section 751(a)(2)(C) of the Act and 19 CFR 351.212(b)(1), the Department determined, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise, in accordance with the final results of this review. The Department will issue assessment instructions to CBP 15 days after the date of publication of the final results of review. We will instruct CBP to liquidate entries of merchandise produced and/or exported by the aforementioned companies. The Department will calculate importer-specific assessment rates for Jindal. Where the respondent reported the entered value for its

⁶ The Initiation Notice lists the company as Jindal Poly Films Limited of India.

sales, the Department calculates importer-specific ad valorem assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of those same sales.⁷ However, where the respondent did not report the entered value for its sales, the Department calculates importer-specific per-unit duty assessment rates. We will instruct CBP to apply an ad valorem assessment rate as indicated above to all entries of subject merchandise during the POR which were produced and/or exported by the four non-selected companies Ester Industries Limited, Garware Polyester Ltd, Polyplex Corporation Limited, and Vacmet. Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries produced and/or exported by SRF during the POR..⁸

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of PET Film from India entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the company under review will be equal to the weighted-average dumping margin established in the final results of this review (except, if the rate is de minimis, i.e., less than 0.5 percent, then the cash deposit rate will be zero); (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period for that company; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the rate established in the completed segment for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any other

⁷ See 19 CFR 351.212(b).

⁸ See 19 CFR 351.106(c)(1).

completed segment of this proceeding, then the cash deposit rate will be the all others rate for this proceeding, 5.71 percent. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notifications to Interested Parties

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

The Department is issuing and publishing these final results of administrative review in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 8, 2016.

Paul Piquado,
Assistant Secretary
for Enforcement and Compliance.

APPENDIX

I. Summary

II. Background Scope of the Order

III. Discussion of the Issues

Comment 1: Whether to Exclude Certain Sales from the Margin Calculation

Comment 2: Whether to Grant a Quantity Discount Adjustment to Jindal

Comment 3: G&A Expense and Interest Expense Ratio

Comment 4: Differential Pricing

[FR Doc. 2016-03083 Filed: 2/12/2016 8:45 am; Publication Date: 2/16/2016]